

HOGAN & HARTSON LLP

875 THIRD AVENUE
NEW YORK, NY 10022

Tel: (212) 918-3000

Fax: (212) 918-3100

RECEIVED
CENTRAL FAX CENTER

OCT 31 2007

WASHINGTON, DC

BERLIN

BRUSSELS

LONDON

PARIS

BUDAPEST

PRAGUE

WARSAW

MOSCOW

TOKYO

BEIJING

BALTIMORE, MD

McLEAN, VA

MIAMI, FL

DENVER, CO

BOULDER, CO

COLORADO SPRINGS, CO

LOS ANGELES, CA

IMPORTANT NOTICE
TELECOPY/FACSIMILE COVER LETTERTO: **Examiner Thien Minh Le**
United States Patent and Trademark
OfficeDATE: October 31, 2007FROM: Gregg S. Ayoub for Arun Chandra, Esq.TIME: 7:21 PMTOTAL NO. OF PAGES, INCLUDING COVER: 40

The attached information is CONFIDENTIAL and is intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient(s) or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any dissemination, distribution or copying of this communication is strictly prohibited. Anyone who receives this communication in error should notify us immediately by telephone and return the original message to us at the above address via the U.S. Mail.

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300, on

Date: October 31, 2007Name: Gregg S. AyoubSignature: *Gregg S. Ayoub*
Hogan & Hartson, L.L.P.**MESSAGE:****PLEASE SEE THE ATTACHED. Original being mailed by U.S. First Class Mail.**

Please note: This was previously faxed successfully to an erroneous number (571-273-2396).

We apologize for any inconvenience.

FOR INTERNAL PURPOSES ONLYTELECOPY/FAX NUMBER: 571-273-8300CLIENT NUMBER: 21119.0067// USSN 09/579,028

Confirmation Report - Memory Send

Page : 001
 Date & Time: Oct-30-2007 05:26pm
 Line 1 : 2129183100
 Line 2 : 2129183100
 E-mail :
 Machine ID : HOGAN & HARTSON LLP Rm# 2535

RECEIVED
 CENTRAL FAX CENTER
 OCT 31 2007

Job number : 546
 Date : Oct-30 05:19pm
 To : 91571273239687547
 Number of pages : 038
 Start time : Oct-30 05:19pm
 End time : Oct-30 05:26pm
 Pages sent : 038
 Status : OK

Job number : 546

*** SEND SUCCESSFUL ***

HOGAN & HARTSON L.L.P.

875 THIRD AVENUE
 NEW YORK, NY 10022

Tel: (212) 918-8000
 Fax: (212) 918-8100

IMPORTANT NOTICE
TELECOPY/FACSIMILE COVER LETTER

WASHINGTON, DC
 BERLIN
 BRUSSELS
 LONDON
 PARIS
 BUDAPEST
 PRAGUE
 WARSAW
 MOSCOW
 TOKYO
 BEIJING
 BALTIMORE, MD
 MOBILE, VA
 MIAMI, FL
 DENVER, CO
 BOULDER, CO
 COLORADO SPRINGS, CO
 LOS ANGELES, CA

TO: Examiner Thien Minh Le
 United States Patent and Trademark
 Office

DATE: October 30, 2007

FROM: Arun Chandra, Esq.
 (by Gregg S. Ayoub)

TIME: 6:08 PM

TOTAL NO. OF PAGES, INCLUDING COVER: 38

The attached information is CONFIDENTIAL and is intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient(s) or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any dissemination, distribution or copying of this communication is strictly prohibited. Anyone who receives this communication in error should notify us immediately by telephone and return the original message to us at the above address via the U.S. Mail.

MESSAGE:

PLEASE SEE THE ATTACHED. Original being mailed by U.S. First Class Mail.

FOR INTERNAL PURPOSES ONLY

TELECOPY/FAX NUMBER: 571-272-8826
 CLIENT NUMBER: 2110.0067// USPN 08/579,028
 ATTORNEY BILLING NUMBER:
 CONFIRMATION NUMBER:

HOGAN & HARTSON L.L.P.875 THIRD AVENUE
NEW YORK, NY 10022

Tel: (212) 918-3000

Fax: (212) 918-3100

RECEIVED
CENTRAL FAX CENTER**OCT 31 2007****IMPORTANT NOTICE**
TELECOPY/FACSIMILE COVER LETTERWASHINGTON, DC
BERLIN
BRUSSELS
LONDON
PARIS
BUDAPEST
PRAGUE
WARSAW
MOSCOW
TOKYO
BEIJING
BALTIMORE, MD
MCLEAN, VA
MIAMI, FL
DENVER, CO
BOULDER, CO
COLORADO SPRINGS, CO
LOS ANGELES, CA**TO:** Examiner Thien Minh Le
United States Patent and Trademark
Office**DATE:** October 30, 2007**FROM:** Arun Chandra, Esq.
(by Gregg S. Ayoub)**TIME:** 6:08 PM**TOTAL NO. OF PAGES, INCLUDING COVER:** 38

The attached information is **CONFIDENTIAL** and is intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient(s) or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any dissemination, distribution or copying of this communication is strictly prohibited. Anyone who receives this communication in error should notify us immediately by telephone and return the original message to us at the above address via the U.S. Mail.

MESSAGE:

PLEASE SEE THE ATTACHED. Original being mailed by U.S. First Class Mail.

FOR INTERNAL PURPOSES ONLY**TELECOPY/FAX NUMBER:** 571-273-2396**CLIENT NUMBER:** 21119.0067// USSN 09/579,023**ATTORNEY BILLING NUMBER:****CONFIRMATION NUMBER:**

RECEIVED
CENTRAL FAX CENTER

OCT 31 2007

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-2396, on

Date: October 30, 2007Name: Gregg S. AyoubSignature: Gregg S. Ayoub

Hogan & Hartson, L.L.P.

Docket No. 21119.0067**Customer Account No. 41913****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Alexander R. Rostaei et al.

Art Unit: 2876

Serial No.: 09/579,023

Examiner: Thien Minh LE

Filed: May 25, 2000

Customer No.: 41913

For: OPTICAL SCANNER FOR READING AND DECODING ONE-AND-TWO-DIMENSIONAL SYMBOLOGIES PROCESSING MEANS AND HIGH ACCURACY IMAGE ANALYSIS

SECOND RESUBMISSION OF FORMAL DRAWINGS AND
RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On March 31, 2006, applicants submitted an Amendment, terminal disclaimer and resubmitted Formal Drawings. Apparently, a notice was sent to Applicants' counsel in April of 2006 regarding a non-compliant amendment. Such notice was never received by Applicants' counsel.

In late 2006 and early 2007, after believing that no action from the Patent Office in this case had been taken, Applicants' counsel contacted the Examiner and was informed of an error in the numbering of the amended claims, which error was ultimately corrected by an Examiner amendment.

Recently, following an additional period of time with no paper received from the Patent Office, Applicants' counsel was contacted by the Patent Office and learned of the April, 2006 notice and that the Formal Drawings submitted on March 31, 2006 (as opposed to the numbering of the claims) were considered non-compliant.

In a discussion with Examiner Thien Minh Le on Friday, October 26, 2007, Applicants' counsel was informed that a flag had been set in this case and that it would be

NY 021119/000167 - 1061270 v1

removed after Applicants' compliance with the April 2006 Notice. The Examiner faxed a copy of the April, 2006 Notice of Non-Compliant Amendment and stated that he would relay the Applicants' response (upon receipt) to Jackie at the Patent Office in order to fix the flag.

Accordingly, in response to the Notice of Non-Compliant Amendment, dated April 10, 2006, which was faxed to the Applicants' counsel on October 26, 2007, resubmitted herewith are thirty-five (35) replacement sheets of formal drawings for the above-identified application, which sheets have been expressly designated as "Replacement Sheets".

In view of the foregoing, the Applicants respectfully request that the Examiner consider the above-noted replacement of formal drawings. The Examiner is invited to contact Applicants' undersigned representative should further discussion be warranted.

Respectfully submitted,

Dated: October 30, 2007

By: 

Arun Chandra

Reg. No. 43,537

Hogan & Hartson L.L.P.
875 Third Avenue
New York, NY 10022
(212) 918-3000
Customer No. 41913